



Homeland
Security

October 15, 2019

SENT VIA E-MAIL TO: 56568-42315248@requests.muckrock.com

Matthew Hoppock
MuckRock News
DEPT MR 56568
411A Highland Ave
Somerville, MA

Re: **FOIA Request Number 2018-HQFO-01121**
FOIA Request Number 2020-HQFO-00020
FOIA Appeal Number 2019-HQAP-00254

Dear Mr. Hoppock:

This letter acknowledges receipt of the United States Coast Guard Administrative Law Judges' remanded appeal letter dated September 12, 2019. The appeal letter is related to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS) for copies of e-mail messages containing the words "Zero Tolerance," "family separation," or "Separate families" from the following custodians: Gene P. Hamilton John Kelly (former DHS Secretary) Kirstjen Nielsen. This office received your request on September 12, 2019.

Information responsive to your request can be accessed online at <https://www.dhs.gov/publication/zero-tolerance-policy-and-eo-executive-order-13841> accessed on October 11, 2019. Pursuant to 5 U.S.C. § 552 (a)(1) and (a)(2), DHS need not make available under FOIA records that are publicly available.

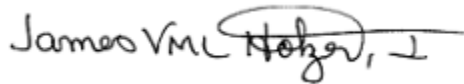
If you deem this to be an adverse determination, you may exercise your appeal rights. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to: Privacy Office, Attn: FOIA Appeals, U.S. Department of Homeland Security, 245 Murray Lane, SW, Mail Stop 0655, Washington, D.C. 20528-0655, following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. Part 5 § 5.8. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS FOIA regulations are available at www.dhs.gov/foia.

Provisions of FOIA allow DHS to charge for processing fees, up to \$25, unless you seek a waiver of fees. In this instance, because the cost is below the \$25 minimum, there is no charge.

If you need any further assistance or would like to discuss any aspect of your request, please contact the analyst below who processed your request and refer to **2020-HQFO-00020**. You may send an e-mail to foia@hq.dhs.gov, call 202-343-1743 or toll free 1-866-431-0486, or you may

contact our FOIA Public Liaison in the same manner. Additionally, you have a right to right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

A handwritten signature in black ink that reads "James V. Holzer, Jr." with a stylized flourish at the end.

James Holzer
Deputy Chief FOIA Officer